

**IN THE U.S. DISTRICT COURT FOR MARYLAND,
SOUTHERN DIVISION**

BEYOND SYSTEMS, INC.)	
Plaintiff)	
)	
v.)	Case No.PJM 08 cv 0921
)	
WORLD AVENUE USA, LLC, et al.)	
Defendants)	
_____)	

**DEFENDANT WORLD AVENUE USA, LLC’S AND WORLD AVENUE HOLDINGS,
LLC’S MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFF’S MOTION FOR
EXPEDITED RULING**

Defendants WORLD AVENUE USA, LLC (“WAUSA”) and WORLD AVENUE HOLDINGS, LLC (“Holdings”) hereby submit their Memorandum of Law in Opposition to Plaintiff BEYOND SYSTEMS, INC.’s (“BSI”) Motion for Expedited Ruling [DE 146], and state:¹

At Docket Entry 142, WAUSA and Holdings have filed a Motion For Extension of Time to Comply With Joint Deadline for Reciprocal Exchange of Discovery and Electronically Stored Information Deposition and for Protective Order. Plaintiff BSI has filed a Motion to Strike on the grounds that “the motion is fatally defective for failure to comply with Local Rule 104.7.” See DE 143, Motion to Strike, p. 1. WAUSA and Holdings have filed a Local Rule 104.7 Certificate, and responded to the Motion to Strike. See DE 147, 148.

BSI has now filed a Motion for Expedited Ruling. See DE 146. The Motion is redundant and duplicative of BSI’s filing at DE 143, which also is styled a “Motion to Strike, **And For**

¹ WAUSA and Holdings agree that an expedited hearing should be held on their Motion, but not for the reasons stated in the Motion to Strike.

Expedited Ruling.” (emphasis added). WAUSA and Holdings incorporate by reference their response to the Motion to Strike. *See* DE 148.

Briefly stated, WAUSA and Holdings do not oppose expedited resolution of their Motion for Extension at DE 142 and BSI’s Motion to Strike at DE 143. BSI’s Motion to Strike at DE 143 is now moot because, although the original Motion contained detail of the good faith efforts made to resolve the matters before the Court and BSI did not contend that such good faith efforts were not made in its response, a Local Rule 104.7 Certificate has been filed. *See* DE 147.

Dated: January 11, 2010.

Respectfully submitted,

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--and--

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